

HOUSE JOINT MEMORIAL 15

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Debbie A. Rodella

FOR THE LAND GRANT COMMITTEE

A JOINT MEMORIAL

REQUESTING THE STATE GAME COMMISSION TO GRANT TRADITIONAL USE RIGHTS TO THE HEIRS OF THE TIERRA AMARILLA LAND GRANT-MERCED FOR LANDS CONTROLLED BY THE COMMISSION THAT ARE LOCATED WITHIN THE HISTORIC BOUNDARIES OF THE TIERRA AMARILLA LAND GRANT-MERCED.

WHEREAS, the attorney general recently released his response to the government accountability office report entitled "Treaty of Guadalupe Hidalgo: Findings and Possible Options Regarding Longstanding Community Land Grant Claims in New Mexico"; and

WHEREAS, the attorney general's response makes it clear that there were grave deficiencies in the process by which community land grants were confirmed, which often resulted in the misconfirmation of land grants as tenancies-in-common or as

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1 private grants; and

2 WHEREAS, these misconfirmations have resulted in hundreds
3 of thousands of acres of common lands being lost by community
4 land grants; and

5 WHEREAS, the Tierra Amarilla land grant-merced is an
6 example of misconfirmation that resulted in the loss of all the
7 common lands of the grant; and

8 WHEREAS, there are few, if any, ways to address these
9 losses through the judicial system due to long-established
10 state and federal judicial precedent; and

11 WHEREAS, an equitable response from the state can begin
12 with state agencies that control former land grant lands to
13 find ways to grant the heirs of certain land grants traditional
14 use rights to those lands;

15 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
16 STATE OF NEW MEXICO that the state game commission be requested
17 to find a way to grant traditional use rights to the heirs of
18 the Tierra Amarilla land grant-merced for lands controlled by
19 the commission that are located within the historic boundaries
20 of the Tierra Amarilla land grant-merced; and

21 BE IT FURTHER RESOLVED that copies of this memorial be
22 transmitted to the state game commission and to the board of
23 trustees of the Tierra Amarilla land grant-merced.

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